



17 APR 2008

PHILIP S. JOHNSON  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK NJ 08933-7003

In re Application of :  
HABESHAW, et al. :  
Application No.: 10/578,807 :  
PCT No.: PCT/GB05/03725 :  
Filing Date: 27 September 2005 : COMMUNICATION  
Priority Date: 27 September 2005 :  
Atty. Docket No.: CCS5006USNP :  
For: INJECTION DEVICE :

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371.

### BACKGROUND

On 10 May 2006, applicant filed a Transmittal Letter for entry into the national stage in the United States which identified the international application as GB/0412081.1. Accompanying the transmittal letter, applicants included: authorization of payment of all necessary fees; a specification, claims and abstract and an un-executed declaration. None of these additional papers identified an international application number.

On 13 June 2006, applicant filed correspondence indicating that the correct international application number for the filing of 10 May 2006 was PCT/GB05/03725.

### COMMUNICATION

A review of the international publication for PCT/GB05/03725 reveals that this is the international application corresponding to the application submitted here. However, the initial Transmittal Letter submitted by applicants misidentified the international application number as GB/0412081.1.

Further a review of the application papers originally filed on 10 May 2006 reveals that none of the originally filed papers identified PCT/GB05/03725. While applicant subsequently provided the correct international application number, none could be used to identify the correct international application at the time of filing. Therefore, the basic national fee could not have been associated with the correct international application no. PCT/GB05/03725 and thus, the application is **ABANDONED** for failure to timely pay the basic national fee.

In order to continue processing of the national stage application for PCT/GB05/03725, applicant must submit a petition to the Commissioner under 37 CFR

1.137(a) or (b) requesting that the application be revived. Any petition filed under 37 CFR 1.137(a) and/or a petition under 37 CFR 1.137(b) requesting that the application be revived must meet the criteria indicated in 37 CFR 1.137.

Any further correspondence with respect to this matter should be addressed to:  
Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box  
1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the  
attention of the Office of PCT Legal Administration.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen'.

Derek A. Putonen  
Attorney-Attorney  
Office of PCT Legal Administration  
Tel. (571) 272-3294  
Fax (571) 273-0459